

No. PD-1291-18

STATE OF TEXAS,  
*Appellant-Petitioner*

v.

MARTIN LOPEZ,  
*Appellee-Respondent*

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IN THE TEXAS COURT  
COURT OF CRIMINAL APPEALS  
4/25/2019  
DEANA WILLIAMSON, CLERK  
OF CRIMINAL APPEALS  
AUSTIN, TEXAS

**STATE'S MOTION FOR EXTENSION OF TIME TO**  
**FILE BRIEF**

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

NOW COMES the State of Texas, by and through Joe D. Gonzales, Criminal District Attorney of Bexar County, Texas, and the undersigned assistant criminal district attorney, with the filing of this motion asking the Court to extend the time for filing the State's Brief in the above styled cause.

**I. STATEMENT OF THE CASE**

The State appealed an order dismissing an information under Bexar County cause number 549327. The court of appeals affirmed the trial court's order in appellate cause number 04-17-00568-CR. This Court granted the State's petition for discretionary review on March 20, 2019. The State's brief on the merits is due on April 22, 2019.<sup>1</sup> The State asks for an extension to complete its brief.

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<sup>1</sup> The thirtieth day after this Court granted the State's petition was April 19, 2019, which was Good Friday.

## II. REASONS FOR THE REQUEST

The State has completed the necessary research and prepared an initial draft of its brief. The undersigned counsel anticipates filing the brief in the next few days.

The undersigned counsel had two other deadlines that fell on April 22, 2019. The undersigned counsel filed a brief in *County v. State*, 04-18-00813-CR. The undersigned counsel also filed a court-requested response to a respondent's motion to dismiss in the Texas Supreme Court in *In re A.T.G.*, No. 18-1071.

## III. PRAYER

WHEREFORE, PREMISES CONSIDERED, Counsel for the State prays the Court grants an extension of time for an additional 15 days to file the brief in this case.

Respectfully submitted,

JOE D. GONZALES  
*Criminal District Attorney*  
Bexar County Texas

/s/ *Nathan E. Morey*

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**CERTIFICATE OF SERVICE**

I, Nathan E. Morey, certify that a copy of the foregoing brief has been delivered by email to Michael Goains and the Office of the State Prosecuting Attorney on Monday, April 22, 2019, in accordance with Rules 6.3(a), 9.5(b), and 68.11 of the Texas Rules of Appellate Procedure.

/s/ *Nathan E. Morey*

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